



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Commerce

Permanent Rule Only

Effective date of rule:

Permanent Rules

☒ 31 days after filing.

☐ Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

☐ Yes ☒ No If Yes, explain:

Purpose:

- To bring the rules into conformance with legislative changes to the Growth Management Act that occurred in 2009 and 2010.
- To adopt rules guiding implementation of RCW 36.70A.540 (Affordable Housing Incentive Programs).
- To address a petition to the agency requesting modifications to WAC 365-190-050 (Agricultural Resource Lands), WAC 365-196-425 (Rural Element) and WAC 365-196-405 (Land Use Element).

Citation of existing rules affected by this order:

Repealed: 0
Amended: WAC 365-190, WAC 365-196
Suspended: 0

Statutory authority for adoption: RCW 36.70A.050, RCW 36.70A.190

Other authority :

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 10-17-043 on August 11, 2010 (date).

Describe any changes other than editing from proposed to adopted version:

Minor, nonsubstantive changes were made to WAC 365-190-050 to address comments and improve clarity.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

Date adopted: 11/1/2010

NAME (TYPE OR PRINT)

Rogers Weed

SIGNATURE

TITLE

Director, Department of Commerce

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 02, 2010

TIME: 11:37 PM

WSR 10-22-103

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>1</u>	Amended	<u>10</u>	Repealed	<u>0</u>

The number of sections adopted at the request of a nongovernmental entity:

	New	<u>0</u>	Amended	<u>3</u>	Repealed	<u>0</u>
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The number of sections adopted in the agency's own initiative:

	New	<u>2</u>	Amended	<u>10</u>	Repealed	<u>0</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>